

1 LAURA E. DUFFY
United States Attorney
2 RENEE GREEN
Special Assistant United States Attorney
3 Federal Office Building
880 Front Street, Room 6293
4 San Diego, California 92101-8893
Telephone: (619) 546-6775
5 Email: Renee.Green@usdoj.gov

6 Attorneys for Plaintiff
United States of America

7 UNITED STATES DISTRICT COURT
8 SOUTHERN DISTRICT OF CALIFORNIA
9

10 UNITED STATES OF AMERICA

11 Plaintiff,

12 v.

13 ARNOLDO DEJESUS GARCIA,

14 Defendant.

Case No. 01-MJ-01854-RBB

GOVERNMENT'S MOTION TO
DISMISS COMPLAINT AND
RECALL ARREST WARRANT

15 COMES NOW the Plaintiff, UNITED STATES OF AMERICA, by and through
16 its counsel, LAURA E. DUFFY, United States Attorney, and Renee Green, Special
17 Assistant United States Attorney, and respectfully requests, pursuant to Rule 48(a),
18 Federal Rules of Criminal Procedure, that the Court dismiss, without prejudice, the
19 Complaint and recall the Arrest Warrant, in the above-entitled case for the following
20 reasons:

21 (1) The Complaint was filed fifteen (15) years ago and prosecution is not viable
22 due to the passage of time; and (2) in the interest of justice and the sound conservation
23 of prosecutorial resources.

24 DATED: September 15, 2016.

25 Respectfully submitted,
26 LAURA E. DUFFY
United States Attorney

27 s/ Renee Green
28 RENEE GREEN
Special Assistant U.S. Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

Plaintiff,

v.

ARNOLDO DEJESUS GARCIA,

Defendant.

Case No. 01-MJ-01854-RBB

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED THAT:

I, Renee Green, am a citizen of the United States and am at least eighteen years of age. My business address is 880 Front Street, Room 6293, San Diego, California 92101-8893.

I am not a party to the above-entitled action. I have caused service of Government's Motion to Dismiss Complaint and recall Arrest Warrant on the following party by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which electronically notifies them.

None.

I hereby certify that I have caused to be mailed the foregoing, by the United States Postal Service, to the following non-ECF participants on this case:

None.

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on September 15, 2016.

s/ Renee Green

RENEE GREEN

Special Assistant U.S. Attorney